

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 16, 2005. Claims 1-134 remain pending. Claims 1, 36, 57, 59, 94 and 115 have been amended in terms which more clearly define the present invention. Claims 1, 36, 57, 59, 94 and 115 are the independent claims. Favorable reconsideration is requested.

In the Office Action, claims 1-134 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner correctly pointed out that claim 1 recites “a user group of one or more users,” which would include the instance of a user group of one user, but the claim later recites more than one such user is permitted to access the file group simultaneously. Accordingly, claim 1 has been amended to recite the step of:

“permitting, when the pre-subscribed user group includes at least two users, more than one user of the pre-subscribed user group to access the file group at the remote file server node simultaneously”

Thus, while the claim encompasses single-user groups, the feature of simultaneous access is contemplated for a particular group when that group includes at least two users.

The Examiner will note that the other independent claims 36, 57, 59, 94 and 115 have been correspondingly amended. Applicants submit that these amendments remove any indefiniteness in the claims, and therefore respectfully request the Examiner to withdraw this rejection.

In the Office Action, claims 1-134 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-161 of copending Application No. 09/704,262. Applicants respectfully note that as the claims in the copending application have not yet been patented, no response to this provisional rejection is due at this time.

In the Office Action, independent claims 1, 36, 57, 59, 94 and 115, together with certain of their dependent claims, were rejected as being anticipated by U.S. Patent No. 6,067,551 (Brown et al.). The remaining dependent claims were variously rejected over combinations of Brown et al. with U.S. Patent No. 5,600,834 (Howard) and/or U.S. Patent No. 5,835,601 (Shimbo et al.).

As shown above, Applicants have amended independent claims 1, 36, 57, 59, 94 and 115 in terms which more clearly define the present invention. Applicants respectfully submit that the pending independent claims, together with the remaining claims respectively dependent thereon, are patentably distinct from the cited prior art for the following reasons.

**Independent claims 1 and 59**

Independent claims 1 and 59 are corresponding method and system claims, and will be addressed together.

The method and system in accordance with the present invention as defined in pending claims 1 and 59 enable multiple users to access the same document while at the same time providing new and effective mechanisms for ensuring that edits are properly merged.

Specifically, claim 1 does not merely recite that multiple users have simultaneous access to the same file. Rather, claim 1 recites in step (c) (emphasis added):

“(c) maintaining the integrity of the files at the remote file server node by controlling each access to each of the files at the remote file server node so that each access to each the files at the remote file server is performed, if at all, *on a respective portion of the respective file* as most recently updated at the remote file server node,”

In rejecting claim 1, the Office Action, at page 4, cites to column 9, line 55 to column 11, line 51 of Brown et al. However, the Office Action does not identify any particular section of Brown et al. that teaches or suggests that access to a file is on *a respective portion of the respective file*, as opposed to access on the entire file.

Applicants have carefully reviewed all of Brown et al., including the cited section of Brown et al., but have found no such teaching or suggestion. Indeed, Applicants respectfully submit that they have found no teaching or suggestion in **any** of the cited references that any (possibly simultaneous) access to a file is on *a respective portion of the respective file*, as opposed to access on the entire file.

To clarify this claim recitation, which was already in the claim language, Applicants have now amended claim 1 to recite that *the respective portion is less than all of the respective file*. With this clarification, and without conceding that the other portions of claim 1 are taught or suggested by the cited prior art, Applicants respectfully submit that independent claim 1 is now clearly seen to be patentably distinct from the cited prior art.

The same clarification has been made in corresponding independent system claim 59, and therefore this claim is also believed to be patentably distinct from the cited prior art.

#### **Independent claims 36 and 134**

Applicants will now address independent method claim 36 and its corresponding independent system claim 94.

Independent claim 36 recites, in relevant part:

“(c) providing an interface for adapting file access at a particular client node by designating at the particular client node each accessible file of the

file group as stored on a virtual storage device, and enabling access to the designated files in a fashion which is indistinguishable, by users of, and applications executing at, the particular client node, with access to one or more files stored on a physical storage device that is locally present at the particular client node.”

The Office Action does not address the recitations of claim 36 specifically, but rather refers to the discussion of claim 1 and asserts that “Brown implicitly and inherently teaches all the limitations related to” claim 36.

While Brown et al. is directed to a method for simultaneous multi-user editing of a document, Applicants have found no teaching or suggestion in Brown et al. of at least the above-quoted recitation in claim 36. Should the Examiner maintain this rejection, it is respectfully requested that specific portions of the cited references be identified so that Applicants may make an appropriate response thereto.

For the same reasons, corresponding system claim 94 is also believed to be patentably distinct from the cited prior art.

#### **Independent claims 57 and 115**

Applicants will now address independent method claim 57 and its corresponding independent system claim 115.

In relevant part here, claim 57 recites step (c) as follows:

(c) transferring an encrypted key from the remote file server node to a particular client node via a secure channel, the key being decryptable using a decryption function not known locally at the remote file server node,

The Office Action acknowledges that “Brown fails to teach encryption and authentication of file sharing” and cites to Shimbo. Without conceding either that Brown teaches all the features of claim 57 except step (c) or that Shimbo remedies this deficiency, Applicants have amended step (c) to read as follows:

(c) transferring an encrypted key from the remote file server node to a particular client node via a secure channel, the encrypted key being encrypted using an encryption function not known locally at the remote file server, the key being decryptable using a decryption function not known locally at the remote file server node,

Applicants have found no teaching or suggestion of amended step (c) in the context of the remaining recitations of claim 57 in either Brown, Shimbo or any of the other cited prior art, and therefore respectfully submit that independent claim 57 is patentably distinct from the cited prior art.

Independent claim 115 is a system claim corresponding to method claim 57 and has been correspondingly amended. Accordingly, Applicants respectfully submit that independent claim 155 is also patentably distinct from the cited prior art.

The remaining claims depend from a respective one of the independent claims 1, 46, 77, 89, 134 and 165 and partake of the novelty thereof.

It is respectfully submitted that this application is now in condition for allowance. The Examiner is respectfully requested to allow claims 1-134 and to pass this case to issue.

If the Commissioner finds that any fees are due in connection with this submission, the Commissioner is authorized to deduct such fees from Deposit Account No. 16-2500.

Respectfully submitted,

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